



Entered on Docket  
September 13, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE  
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Fourth Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Part Upon Investment In  
The Palm Harbor One Loan**

Hearing Date: August 30, 2011  
Hearing Time: 10:30 a.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Palm Harbor One Loan," ("Palm Harbor Loan") [DE 8596] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Palm Harbor Loan; and  
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8596] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those  
6 claims are based upon an investment in the Palm Harbor Loan.

7  
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10  
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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18 *Attorneys for USACM Liquidating Trust*  
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1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order  
3 accurately reflects the court's ruling and that (check one):

4 \_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.

6 \_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who  
7 appeared at the hearing, and any unrepresented parties who appeared  
8 at the hearing, and each has approved or disapproved the order, or  
9 failed to respond, as indicated below [list each party and whether the  
party has approved, disapproved, or failed to respond to the  
document]:

10 Counsel appearing: \_\_\_\_\_

11 \_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a  
12 copy of this order with the motion pursuant to LR 9014(g), and that  
13 no party has objected to the form or content of the order

14 U.S. Trustee: _____	
15 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
17 Other Party: _____	
18 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
19 <input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

21 Submitted by:  
22 LEWIS AND ROCA LLP

23 By: /s/ John Hinderaker. (AZ #018024)  
24 Attorneys for USACM Liquidating Trust

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26 # # #

**USACM Trust  
Palm Harbor One, LLC  
Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Palm Harbor One Loan</b>
10725-02444	4/10/2007	Acosta, Ruth	2546 General Armistead Ave Norristown, PA 19403	2,718.99	Unknown
10725-01623	12/8/2006	Addes Ira, Kenneth	100 W Broadway Apt 7V Long Beach, NY 11561	380,878.66	50,000.00
10725-01903	1/9/2007	AIG Limited A Nevada Limited Partnership	9904 Villa Granito LN Granite Bay, CA 95746-6481	813,297.52	50,000.00
10725-01664	12/9/2006	Anglin, Patrick J	Janet L Chub, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	187,005.78	100,000.00
10725-01177	11/10/2006	Arthur E & Thelma Kebble Family Trust Dtd 5/19/95	C/O Arthur E & Thelma M Kebble Ttees 9512 Salem Hills CT Las Vegas, NV 89134-7883	327,563.97	51,106.76
10725-02261	1/12/2007	Cibb Inc Pension Plan	Ronald A Johnson Tree 50 Snider Way Sparks, NV 89431	405,600.00	50,000.00
10725-01218	11/10/2006	Cohen Living Trust Dtd 3/6/90	c/o Nelson Cohen, Esq. 7670 W. Lake Mead Boulevard Suite 225 Las Vegas, NV 89128	404,317.00	50,000.00
10725-02038	1/11/2007	Collins Family Trust Dated 1/29/93	C/O Shirley M Collins Trustee 1975 Snowberry Ct Carlsbad, CA 92009-8408	1,760,380.48	50,000.00
10725-02035	1/11/2007	Daniel, Deborah A	* Undeliverable Address * 249 S Vista Del Monte Anaheim, CA 92807	404,753.90	50,000.00
10725-02333	1/13/2007	Davis Investments	20 Leroy Terrace New Haven, CT 06512	2,000,000.00	280,026.93

**EXHIBIT A**

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